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PERMANENT ZONING CONTROLS
PROPOSAL FOR ADOPTION

031 1987

UNIVERSITY OF CALIFORNIA

SAN FRANCISCO . DEPARTMENT OF CITY PLANNING

INTRODUCTION

This document contains proposed permanent amendments to the City Planning Code text and Zoning Map of the City and County of San Francisco. The amendments to the Planning Code and Map are fashioned on the goals and policies of the Van Ness Plan, published originally as a proposal for citizen review in May 1983, and again published as a proposal for adoption in an amended form in October 1986. The amended proposal for adoption is based in part on public comments received after publication of the May 1983 proposal for citizen review, and in part on comments received after the implementation of interim controls in April 1987.

A Draft Environmental Impact Report covering the proposed permanent controls has been published on August 21, 1987. The public review period for the EIR will end on October 9, 1987, and City Planning Commission hearings on permanent controls will begin on October 8, 1987. Further public hearings will be held at the Land Use Committee of the Board of Supervisors. The permanent controls have to be approved by the full Board of Supervisors and signed into effect by the Mayor before they go into effect.

BACKGROUND

In May of 1983, the Department published a report entitled "Van Ness Plan - Proposal for Citizen Review." Extensive comments were received in direct response to the Plan, including a counter proposal by the Van Ness Avenue Association which addressed the Plan in its entirety. Most comments received from property owners and the development community were related to (i) the economic feasibility of housing development at the height and density envisioned by the Plan and (ii) the Plan's relatively narrow interpretation of what technically constitutes a "housing use." Comments from the neighborhood associations adjacent to the Van Ness corridor generally focussed on (i) the fact that the existing height limits were not lowered as part of the Plan, (ii) the high residential densities allowed by the Plan, and (iii) the question of the affordability of the planned housing units.

Department representatives met with all interested neighborhood associations and the Van Ness Avenue Association on many occasions and maintained contact with all interested parties throughout the Plan's revision process. This Plan is the direct result of the Department's attempt to incorporate those citizen's concerns without altering the Plan's original intent of promoting housing along the Avenue.

Interim controls largely identical to the proposed permanent controls were established for the Avenue in April 1987. The Department received a number of comments relating to the feasibility of the Plan's housing requirements for development on small lots with no frontage on streets other than Van Ness Avenue. The permanent controls reflect these comments.

GOALS

The Plan for Van Ness Avenue is designed to achieve four goals:

- Provide More Housing

High density residential development is encouraged in the context of new mixed use (residential and commercial) projects along Van Ness Avenue. Such mixed use development ideally would be a combination of attractive and pedestrian-oriented retail shops and restaurants on the lower floors and residential development on the upper floors. The lower level commercial activity would thus serve as a buffer between upper level residential space and the more active street level activities.

- Encourage a Coherent Street Wall Along Van Ness Avenue

New development should create a coherent street wall along the Avenue by building to the front property line and the allowable height. Nevertheless, the scale of new buildings - their height, bulk, shape and proportions - should not overwhelm buildings of historic and architectural significance. Designs should harmonize with those buildings by continuing composition features such as horizontal lines (i.e., belt courses, cornices), window proportions, and overall facade divisions. Strong articulation of building bases with setbacks along Van Ness Avenue at the five to eight story level and building heights up to 130 feet would provide an urban form which would adequately respond to the prevalent height of architecturally significant buildings as well as the great width of the Avenue itself.

- Save Significant Buildings

Retention of architecturally significant buildings contributes both to the design of newer buildings and the overall appearance of the Avenue. Preservation of these buildings will be facilitated by the nomination of a number of identified significant buildings for City Landmark designation.

- Improve Pedestrian Environment

Although Van Ness Avenue is a major thoroughfare, its pedestrian environment can be greatly improved with tree plantings along the length of the Avenue, preservation of sunlight on the sidewalks, attractive street furniture, and strong articulation of building facades. The ground floor levels of new developments ideally should contain retail shops and restaurants; Van Ness Avenue's current renaissance as an attractive retail location should be strengthened and further encouraged.

The Van Ness Permanent Controls are amendments and additions to the City Planning Code which implements the goals and policies of the Van Ness Plan.

SUMMARY OF PROPOSED PERMANENT ZONING CONTROLS

The proposed permanent controls place additional height, bulk and land use restrictions on properties presently classified as C-2 use districts with a automotive special use district overlay.

The proposed permanent controls replace the existing C-2 zoning classification with a RC-4 district and the Van Ness Avenue Special Use District overlay. Two height and bulk districts are also proposed (see Figures 2 and 3). Under the proposed controls, the provisions of the RC-4 zoning classification shall apply, except as specified in the Van Ness Special Use District overlay. The properties lying within the proposed Van Ness Special Use District would be subject to the following provisions:

- 130-ft. height limit along the Avenue between McAllister and California.
- 80-ft. height limit along the Avenue between California and Broadway.
- A basic floor area ratio limit of 7.0 to 1 in the 130 ft. height district and 4.5:1 in the 80 ft. height district. These limits apply to dwellings notwithstanding Section 124(b).
- Signs to be regulated as provided in Article 6, including Section 607.3 which governs signs located in the Van Ness Special Sign District.
- The requirements of this code applicable to rear yards may be modified or waived by the Zoning Administrator if a number of conditions are met.
- Setbacks for buildings exceeding a height of 40 ft. will be subject to setback requirements imposed at the discretion of the Planning Commission.
- Non-residential uses will only be permitted if the ratio between the amount of occupied floor area for residential use to the amount of occupied floor area for non-residential use is 3 to 1 or greater. The required residential space may be provided off-site within the Van Ness Area.
- Residential Densities will be established based on the permitted building envelope rather than based on the lot size. The appropriate density will be established as part of the design review process.
- Ground story uses on lots abutting Van Ness Avenue will be confined to building entrances and retail space to a depth of 40 feet from Van Ness Avenue.
- Fast Food uses will be permitted only as conditional uses pursuant to Section 303 of this Code.
- Drive-up facilities will not be permitted.
- All demolitions of residential buildings and all conversions to nonresidential use of residential uses above the ground floor will be permitted only if authorized as a conditional use, unless the building is unsafe or dangerous and demolition is the only feasible means to secure the public safety.

The two height and bulk districts are the following: 130-V — 130 foot height limit. Bulk limit shall apply above the setback imposed by Planning Commission. Maximum length: 110 feet, maximum diagonal dimensions: 140 feet. 80-D — 80 foot height limit.

PROPERTIES AFFECTED BY THE VAN NESS ZONING CONTROLS LISTED BY ASSESSOR'S BLOCK
AND LOT NUMBER:

AB 474/1, 2, 3, 3A, 4, 5
475/1
478/11, 11A, 11B, 11C, 11D, 11E,
13, 14, 15, 15A
479/1, 1A, 2, 2A, 2C, 2D, 3
498/1, 2, 3, 5, 6, 7, 9, 10, 11,
12, 25, 26
499/3, 4, 5, 6, 7, 9
502/5G, 5H
503/4, 5, 30
522/1, 2, 2A
523/14A, 14B, 14D, 15, 15A, 15B
526/16, 17, 19, 21
527/1, 2, 4, 7, 8, 9
546/1, 2, 3, 4, 5
547/7, 8, 9, 10, 11, 12, 13, 14
550/17, 18, 20, 20A, 24, 25, 26
551/1, 1A, 1B, 2, 3, 4, 4A, 5
570/1, 2, 3, 4, 5, 7, 29
571/5, 10, 11, 12, 13
574/14, 15, 16, 17, 18
575/3, 15
594/1, 2
595/5, 6, 8
598/9, 9A, 9B, 10, 10A, 10B
599/1, 8, 16
618/1, 1A, 1B, 2
619/9, 10, 11, 12
622/13, 18, 19
623/1, 1A, 1B, 2
642/1, 3, 4, 5
643/13, 15, 17, 18
646/12, 16
647/1, 2, 3, 4
666/1, 3, 4, 5, 6, 6A, 7, 9,
10, 25, 26, 27, 28, 29
667/5, 7, 8, 9, 10, 11, 13,
14, 16, 17, 18, 18A
670/9, 10, 11, 12, 13, 14, 15,
16, 17, 18, 19, 20, 22,
23, 24
671/1, 2, 7
690/1, 1A, 13
691/3, 5, 8, 11, 12, 12A
694/1, 2, 3, 4, 5, 6, 7, 8, 9, 9A,
10, 11, 12, 13, 14, 15, 16, 17, 19
695/5, 6
714/1, 2, 3, 16
715/5, 9

718/6, 8, 9, 10, 11, 12, 13, 14, 17,
18, 19, 20, 21

719/1, 2, 13

738/5, 7, 17, 18, 19, 22-44,

739/5, 6, 7, 8, 9, 10, 11, 12

742/4, 6, 7, 8, 9, 10

743/1, 2, 15, 203,

204

762/25, 26, 27, 29-479

763/8, 9, 10, 11, 12, 13, 14

766/4, 5, 6, 7, 8, 9, 10

767/1

EXHIBIT A—Van Ness Avenue Permanent Zoning Controls Ordinance

VAN NESS AVENUE PLAN
PROPOSAL

September 17, 1987

PROPERTY DESCRIPTION

(Van Ness Avenue Use, Height and Bulk District)

ADOPTING CHANGES IN PROPERTY USE AND HEIGHT AND BULK CLASSIFICATION BY AMENDING THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR THE AREA IN THE VICINITY OF VAN NESS AVENUE BETWEEN McALLISTER STREET AND BAY STREET TO ESTABLISH THE VAN NESS SPECIAL USE DISTRICT, TO RECLASSIFY PROPERTY THEREIN FROM C-2 TO RC-4 OR RC-3 DISTRICTS, AND TO RECLASSIFY HEIGHT AND BULK DISTRICTS FROM 130-E AND 105-D TO 130-V OR 80-D.

Note: The entire ordinance is new. Where lot numbers are shown separated by a hyphen, the reference includes the first numbered, last numbered, and all intermediate numbered lots.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The following changes in property use classification are hereby adopted as amendments to Section Map 2 of the Zoning Map of the City and County of San Francisco.

EXHIBIT 1

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use Districts to be Approved</u>
The area delineated RC-4 and Van Ness Special Use District on the maps attached hereto as Exhibits A and B, respectively, encompassing the following assessors blocks and lots:		
<u>Assessor's Block/Lots</u>		
574/14, 15, 16, 17, 18	C-2	RC-4 and Van Ness Special Use District
575/3, 15		
594/1, 2		
595/5, 6, 8		
598/9, 9A, 9B, 10, 10A, 10B,		
599/1, 8, 16		
618/1, 1A, 1B, 2		
619/9, 10, 11, 12		
622/13, 18, 19		
623/1, 1A, 1B, 2		
642/1, 3, 4, 5		
643/13, 15, 17, 18		
646/12, 16		
647/1, 2, 3, 4		
666/1, 3, 4, 5, 6, 6A, 7, 9,		
10, 25, 26, 27, 28, 29		
667/5, 7, 8, 9, 10, 11, 13,		
14, 16, 17, 18, 18A		
670/9, 10, 11, 12, 13, 14, 15,		
16, 17, 18, 19, 20, 22,		
23, 24		
671/1, 2, 7		
690/1, 1A, 13		
691/3, 5, 8, 11, 12, 12A		
694/1, 2, 3, 4, 5, 6, 7, 8, 9, 9A,		
10, 11, 12, 13, 14, 15, 16, 17, 19		
695/5, 6		
714/1, 2, 3, 16		
715/5, 9		
718/6, 8, 9, 10, 11, 12, 13, 14, 17,		
18, 19, 20, 21		
719/1, 2, 13		
738/5, 7, 17, 18, 19, 22-44,		
739/5, 6, 7, 8, 9, 10, 11, 12		
742/4, 6, 7, 8, 9, 10		
743/1, 2, 15, 203,		
204		
762/25, 26, 27, 29-479		
763/8, 9, 10, 11, 12, 13, 14		
766/4, 5, 6, 7, 8, 9, 10		
767/1		

Section 2. The following changes in property use classification from C-2 to RC-3 are hereby adopted as amendments to Section Map 2 of the Zoning Map of the City and County of San Francisco.

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use Districts to be Approved</u>
<u>Assessor's Block/Lots</u>		
The area delineated RC-3 on the map attached hereto as Exhibit A, encompassing the following assessors blocks and lots:		
AB 478/11	C-2	RC-3
479/2A, 3		
498/1, 2, 3, 5, 6, 7, 9, 10, 11, 12, 25, 26		
499/3, 4, 5, 6, 7, 9		
502/5G, 5H		
503/4, 5, 30		
522/1, 2, 2A		
523/14A, 14B, 14D, 15, 15A, 15B		
526/16, 17, 19, 21		
527/1, 2, 4, 7, 8, 9		
546/1, 2, 3, 4, 5		
547/7, 8, 9, 10, 11, 12, 13, 14		
550/17, 18, 20, 20A, 24, 25, 26		
551/1, 1A, 1B, 2, 3, 4, 4A, 5		
570/1, 2, 3, 4, 5, 7, 29		
571/5, 10, 11, 12, 13		

Section 3. The following changes in height and bulk districts to a 130-V height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:


<u>Description of Property</u>	<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk Districts to be Approved</u>
<u>Assessor's Block/Lots</u>		
The area delineated 130-V on the map attached hereto as Exhibit C, encompassing the following assessors blocks and lots:		
646/12, 16	130-E	130-V
647/1, 2, 3, 4		
666/1, 3, 4, 5, 6, 6A, 7, 9, 10, 25, 26, 27, 28, 29		
667/5, 7, 8, 9, 10, <u>11</u> , 13, 14, 16, 17, 18, 18A		
670/9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24		
671/1, 2, 7		
690/1, 1A, 13		
691/3, 5, 8, <u>11, 12, 12A</u>		
694/1, 2, 3, 4, 5, 6, 7, 8, 9, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 19		
695/5, 6		
714/1, 2, 3, 16		
715/5, 9		
718/6, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21		
719/1, 2, <u>13</u>		
738/5, <u>7</u> , 17, <u>18</u> , <u>19</u> , 22-44,		
739/5, 6, 7, 8, 9, 10, 11, 12		
742/4, 6, 7, 8, 9, <u>10</u>		
743/1, 2, <u>15</u> , 203, <u>204</u>		
762/25, 26, 27, 29-479		
763/8, 9, 10, 11, 12, 13, 14		
766/4, 5, 6, 7, 8, 9, 10		
767/1		

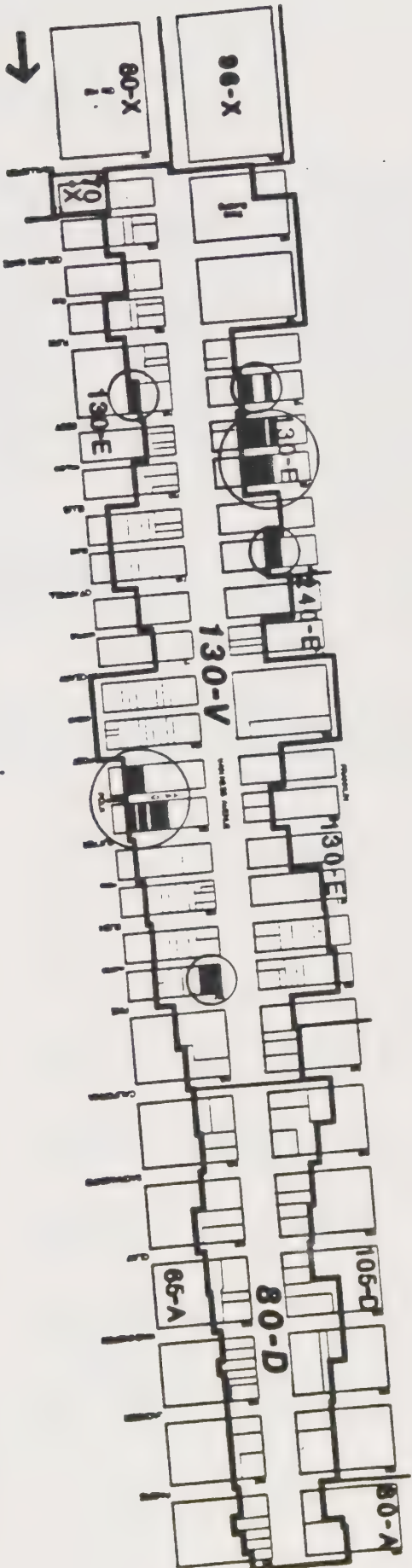
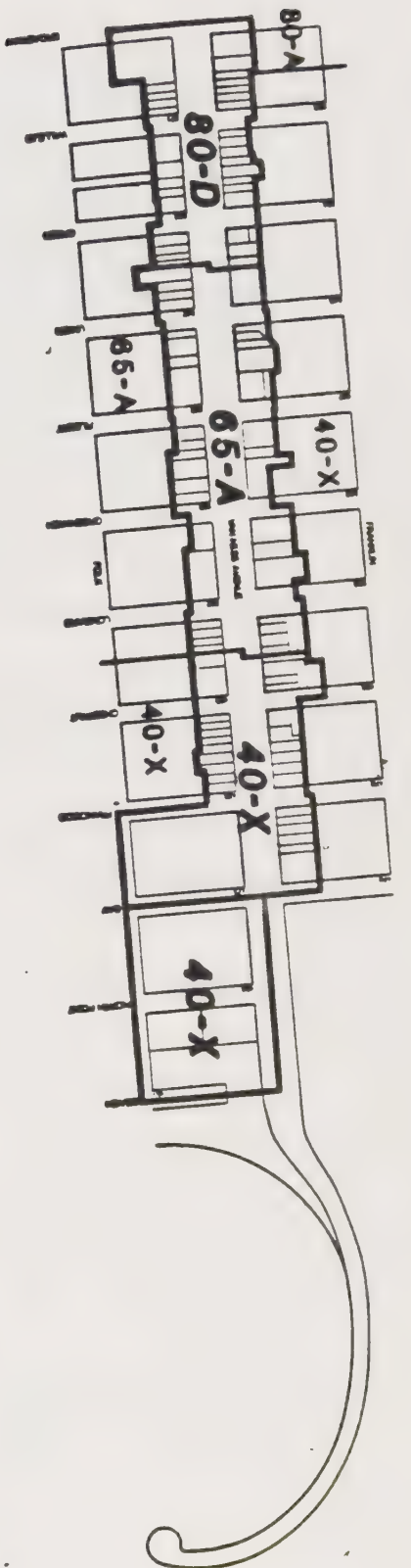
Section 4. The following changes in height and bulk districts to a 80-D height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>	<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk Districts to be Approved</u>
The area delineated 80-D on the map attached hereto as Exhibit C, encompassing the following assessors blocks and lots:		
<u>Assessor's Block/Lots</u>		
594/1, 2	105-D	80-D
595/5, 6, 8		
598/9, 9A, 9B, 10, 10B, 10A		
599/1, 8, 16		
618/1, 1A, 1B, 2	130-E	80-D
619/9, 10, 11, 12		
622/13, 18, 19		
623/1, 1A, 1B, 2		
642/1, 3, 4, 5		
643/13, 15, 17, 18,		

APPROVED AS TO FORM

LOUISE RENNE, City Attorney


by: Deputy City Attorney



**EXHIBIT :
PROPOSED HEIGHT AND BULK DISTRICT
VAN NESS AVENUE PLAT**

VAN NESS AVENUE
PLAN PROPOSAL

September 17, 1987
TEXT AMENDMENTS

File 85.586TZE

Ordinance _____

(Van Ness Avenue Rezoning and Planning Controls)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTIONS 102.8, 124, 151, 260, 270 AND 607 AND BY ADDING SECTIONS 237.1, 253.2 AND 607.3, TO ESTABLISH THE VAN NESS SPECIAL USE DISTRICT AND IMPOSE RESTRICTIONS ON PROPERTY WITHIN THAT DISTRICT, INCLUDING RESTRICTIONS ON THE USE OF PROPERTY, THE DEMOLITION OF RESIDENTIAL BUILDINGS, THE ALTERATION OR DEMOLITION OF CERTAIN ARCHITECTURALLY SIGNIFICANT BUILDINGS AND THE USE OF SIGNS, AND TO AUTHORIZE THE IMPOSITION OF A BUILDING SETBACK FOR SPECIFIED PROPERTY.

NOTE: Additions are underlined, deletions are indicated by ((double parentheses))

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Sections 102.8, 124, 151, 260, 270 and 607 and by adding Sections 237.1, 253.2 and 607.3, as follows:

EXHIBIT 2

SEC. 102.8. FLOOR AREA, GROSS.

In districts other than C-3, the sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the center lines of walls separating two buildings. Where columns are outside and separated from an exterior wall (curtain wall) which encloses the building space or are otherwise so arranged that the curtain wall is clearly separate from the structural members, the exterior face of the curtain wall shall be the line of measurement, and the area of the columns themselves at each floor shall also be counted.

In C-3 Districts and the Van Ness Special Use District, the sum of the gross areas of the several floors of a building or buildings, measured along the glass line at windows at a height of 4 feet above the finished floor and along a projected straight line parallel to the overall building wall plane connecting the ends of individual windows; provided, however, that such line shall not be inward of the interior face of the wall.

- (a) Except as specifically excluded in this definition, gross floor area shall include, although not be limited to, the following:
- (1) Basement and cellar space, including tenants' storage areas and all other space except that used only for storage or services necessary to the operation or maintenance of the building itself;
 - (2) Elevator shafts, stairwells, exit enclosures and smokeproof enclosures, at each floor;
 - (3) Floor space in penthouses except as specifically excluded in this definition;
 - (4) Attic space (whether or not a floor has been laid) capable of being made into habitable space;
 - (5) Floor space in balconies or mezzanines in the interior of the building;
 - (6) Floor space in open or roofed porches, arcades or exterior balconies, if such porch, arcade or balcony is located above the ground floor or first floor of occupancy above basement or garage and is used as the primary access to the interior space it serves;

- (7) Floor space in accessory buildings, except for floor spaced used for accessory off-street parking or loading spaces as described in Section 204.5 of this Code, and driveways and maneuvering areas incidental thereto; and
- (8) Any other floor space not specifically excluded in this definition.

(b) Gross floor area shall not include the following:

- (1) Basement and cellar space used only for storage or services necessary to the operation or maintenance of the building itself;
- (2) Attic space not capable of being made into habitable space;
- (3) Elevator or stair penthouses, accessory water tanks, or cooling towers; and other mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself, if located at the top of the building or separated therefrom only by other space not included in the gross floor area;
- (4) Mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself (i) if located at an intermediate story of the building and forming a complete floor level; or (ii) in C-3 districts, if located on a number of intermediate stories occupying less than a full floor level, provided that the mechanical equipment, appurtenances and areas are permanently separated from occupied floor areas and in aggregate area do not exceed the area of an average floor as determined by the Zoning Administrator;
- (5) Outside stairs to the first floor of occupancy at the face of the building which the stairs serve, or fire escapes;
- (6) Floor space used for accessory off-street parking and loading spaces as described in Section 204.5 of this Code and driveways and maneuvering areas incidental thereto;
- (7) Arcades, plazas, walkways, porches, breezeways, porticos and similar features (whether roofed or not), at or near street level, accessible to the general public and not substantially enclosed by exterior walls; and accessways to public transit lines, if open for use by the general public; all exclusive of areas devoted to sales, service, display, and other activities other than movement of persons;

(8) Balconies, porches, roof decks, terraces, courts and similar features, except those used for primary access as described in Paragraph (a)(6) above, provided that:

- (A) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the clear space is less than 15 feet in either dimension, the area shall not be excluded from gross floor area unless it is fully open to the sky (except for roof eaves, cornices or belt courses which project not more than two feet from the face of the building wall).
- (B) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high), or by such walls and interior lot lines, and the clear space is 15 feet or more in both dimensions, (1) the area shall be excluded from gross floor area if it is fully open to the sky (except for roof eaves, cornices or belt courses which project no more than two feet from the face of the building wall), and (2) the area may have roofed areas along its perimeter which are also excluded from gross floor area if the minimum clear open space between any such roof and the opposite wall or roof (whichever is closer) is maintained at 15 feet (with the above exceptions) and the roofed area does not exceed 10 feet in depth; (3) in addition, when the clear open area exceeds 625 square feet, a canopy, gazebo, or similar roofed structure without walls may cover up to 10 percent of such open space without being counted as gross floor area.
- (C) If, however, 70 per cent or less of the perimeter of such an area is enclosed by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the open side or sides face on a yard, street or court whose dimensions satisfy the requirements of this Code and all other applicable codes for instances in which required windows face upon such yard, street or court, the area may be roofed to the extent permitted by such codes in instances in which required windows are involved;

- (9) On lower, nonresidential floors, elevator shafts and other life support systems serving exclusively the residential uses on the upper floors of a building;
- (10) One-third of that portion of a window bay conforming to the requirements of Section 136(d)2 which extends beyond the plane formed by the face of the facade on either side of the bay but not to exceed 7 square feet per bay window as measured at each floor;
- (11) Ground floor area in the C-3-O, C-3-O (SD), C-3-S, and C-3-G districts devoted to building or pedestrian circulation and building service;
- (12) In the C-3-O, C-3-O (SD), C-3-S, and C-3-G districts, space devoted to personal services, restaurants, and retail sales of goods intended to meet the convenience shopping and service needs of downtown workers and residents, not to exceed 5,000 occupied square feet per use and, in total, not to exceed 75% of the area of the ground floor of the building plus the ground level, on-site open space. Said uses shall be located on the ground floor, except that, in order to facilitate the creation of more spacious ground floor interior spaces, a portion of the said uses, in an amount to be determined pursuant to the provisions of Section 309, may be located on a mezzanine level;
- (13) An interior space provided as an open space feature in accordance with the requirements of Section 138;
- (14) Floor area in C-3 districts devoted to child care facilities provided that:
 - (A) Allowable indoor space is no more or no less than 3,000 square feet and no more than 6,000 square feet; and
 - (B) The facilities are made available rent free; and
 - (C) Adequate outdoor space is provided adjacent, or easily accessible, to the facility. Spaces such as atriums, rooftops or public parks may be used if they meet licensing requirements for child care facilities; and
 - (D) The space is used for child care for the life of the building as long as there is a demonstrated need. No change in use shall occur without a finding by the City Planning Commission that there is a lack of need for child care and that the space will be used for a facility described in subsection 15 below dealing with cultural, educational, recreational, religious, or social service facilities;

- (15) Floor area in C-3 districts permanently devoted to cultural, educational, recreational, religious or social service facilities available to the general public at no cost or at a fee covering actual operating expenses, provided that such facilities are:
 - (A) Owned and operated by a nonprofit corporation or institution, or
 - (B) Are made available rent free for occupancy only by nonprofit corporations or institutions for such functions; and
- (16) In C-3 districts, floor space used for short-term parking and aisles incidental thereto when required pursuant to Section 309 in order to replace short-term parking spaces displaced by the building or buildings.

SEC. 124. BASIC FLOOR AREA RATIO.

- (a) Except as provided in Subsections (b), (c) and (e) of this section, the basic floor area ratio limits specified in the following table shall apply to each building or development in the districts indicated.

TABLE 1
BASIC FLOOR AREA RATIO LIMITS

<u>District</u>	<u>Basic Floor Area Ratio Limit</u>
RH-1(D), RH-1, RH-1(S), RH-2, RH-3,	1.8 to 1
	RM-1, RM-2
RM-3	3.6 to 1
RM-4	4.8 to 1
RC-1, RC-2	1.8 to 1
RC-3	3.6 to 1
RC-4	4.8 to 1
NC-1	0.75 to 1
NC-S,	1.0 to 1
Outer Clement Street	
Haight Street,	
Sacramento Street,	
24th Street-Noe Valley,	1.5 to 1
West Portal Avenue	
NC-2,	
Inner Clement Street,	
Upper Fillmore Street,	
North Beach,	1.75 to 1
Valencia Street,	
24th-Mission Street	

TABLE 1(con't)
BASIC FLOOR AREA RATIO LIMITS

<u>District</u>	<u>Basic Floor Area Ratio Limit</u>
<i>Broadway, Castro Street, Hayes-Gough, Upper Market Street, Polk Street, Union Street</i>	<i>2.5 to 1</i>
<i>NC-3</i>	<i>3.6 to 1</i>
Chinatown R/NC	1.0 to 1
Chinatown VR	2.0 to 1
Chinatown CB	2.8 to 1
C-1, C-2	3.6 to 1
C-3-O	9.0 to 1
C-3-R	6.0 to 1
C-3-G	6.0 to 1
C-3-S	5.0 to 1
C-3-O (SD)	6.0 to 1
C-M	9.0 to 1
M-1, M-2	5.0 to 1

- (b) In R, NC and Mixed Use districts, the above floor area ratio limits shall not apply to dwellings or to other residential uses. In NC districts, the above floor area ratio limits shall also not apply to non-accessory off-street parking. In Chinatown Mixed Use districts, the above floor area limits shall not apply to institutions, and mezzanine commercial space shall not be calculated as part of the floor area ratio.

- (c) In a C-2 district the basic floor area ratio limit shall be 4.8 to 1 for a lot which is nearer to an RM-4 or RC-4 district than to any other R district, and 10.0 to 1 for a lot which is nearer to a C-3 district than to any R district. The distance to the nearest R district or C-3 district shall be measured from the midpoint of the front line, or from a point directly across the street therefrom, whichever gives the greatest ratio.
- (d) In the ((Automotive)) Van Ness Special Use District, as described in Section 237 of this Code, the basic floor area ratio limit shall be ((10.0 to 1)) 7.0 to 1 where the height limit is 130 feet and 4.5 to 1 where the height limit is 80 feet.
- (e) In the Northern Waterfront Special Use Districts, as described in Sections 240 through 240.3 of this Code, the basic floor area ratio limit in any C district shall be 5.0 to 1.
- (f) For buildings in C-3-G and C-3-S districts other than those designated as Significant or Contributory pursuant to Article 11 of this Code, additional square footage above that permitted by the base floor area ratio limits set forth above may be approved for construction of dwellings on the site of the building affordable for 20 years to households whose incomes are within 150 percent of the median income as defined herein, in accordance with the conditional use procedures and criteria as provided in Section 303 of this code.
 - (1) Any dwelling approved for construction under this provision shall be deemed a designated unit as defined below. Prior to the issuance by the Superintendent of the Bureau of Building Inspection (Superintendent) of a site or building permit to construct any designated unit subject to this Section, the permit applicant shall notify the Director of Planning and the Director of Property in writing whether the unit will be an owned or rental unit as defined in Section 313(a) of this Code.
 - (2) Within 60 days after the issuance by the Superintendent of a site or building permit for construction of any unit intended to be an owned unit, the Director of Planning shall notify the City Engineer in writing identifying the intended owned unit, and the Director of Property shall appraise the fair market value of such unit as of the date of the appraisal, applying accepted valuation methods, and deliver a written appraisal of the unit to the Director of Planning and the permit applicant. The permit applicant shall supply all information to the Director of Property necessary to appraise the unit, including all plans and specifications.

- (3) Each designated unit shall be subject to the provisions of Sections 313(i) of this Code. For purposes of this Subsection and the application of Section 313(i) of this Code to designated units constructed pursuant to this Subsection, the definitions set forth in Section 313(a) shall apply, with the exception of the following definitions, which shall supersede the definitions of the terms set forth in Section 313(a):
- (A) "Base price" shall mean 3.25 times the median income for a family of four (4) persons for the County of San Francisco as set forth in California Administrative Code Section 6932 on the date on which a housing unit is sold.
 - (B) "Base rent" shall mean .45 times the median income for the County of San Francisco as set forth in California Administrative Code Section 6932 for a family of a size equivalent to the number of persons residing in a household renting a designated unit.
 - (C) "Designated unit" shall mean a housing unit identified and reported to the Director by the sponsor of an office development project subject to this Subsection as a unit that shall be affordable to households of low or moderate income for 20 years.
 - (D) "Household of low or moderate income" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed 150% of the qualifying limit for a median income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in California Administrative Code Section 6932.
 - (E) "Sponsor" shall mean an applicant seeking approval for construction of a project subject to this Subsection and such applicants' successors and assigns.
- (g) In the Mid-South of Market Special Use District, as described in Section 249.1 of this Code, the basic floor area ratio limit for office uses shall be 2.0 to 1.
- (h) The allowable gross floor area on a lot which is the site of an unlawfully demolished building that is governed by the provisions of Article 11 shall be the gross floor area of the demolished building for the period of time set forth in, and in accordance with the provisions of, Section 1114 of this Code, but not to exceed the basic floor area permitted by this Section.

- (i) In calculating the permitted floor area of a new structure in a C-3 district, the lot on which an existing structure is located may not be included unless the existing structure and the new structure are made part of a single development complex, the existing structure is or is made architecturally compatible with the new structure, and, if the existing structure is in a Conservation District, the existing structure meets or is made to meet the standards of Section 1109(c), and the existing structure meets or is reinforced to meet the standards for seismic loads and forces of the 1975 Building Code. Determinations under this paragraph shall be made in accordance with the provisions of Section 309.
- (j) In calculating allowable gross floor area on a preservation lot from which any TDRs have been transferred pursuant to Section 128, the amount allowed herein shall be decreased by the amount of gross floor area transferred.

[Language in italics subject to Sunset Clause set forth in Ord. 69-87]

SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES.

Off-street parking spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Section 161 of this Code. Where off-street parking is provided which exceeds certain amounts in relation to the quantities specified in this table, as set forth in Section 204.5 of this Code, such parking shall be classified not as accessory parking but as either a principal or a conditional use, depending upon the use provisions applicable to the district in which the parking is located. In considering an application for a conditional use for any such parking, due to the amount being provided, the City Planning Commission shall consider the criteria set forth in Section 157 of this Code.

TABLE 151
OFF-STREET PARKING SPACES REQUIRED

<u>Use or Activity</u>	<u>Number of Off-Street Parking Spaces Required</u>
Dwelling, except as specified below	One for each dwelling unit.
Dwelling RC-4 and C-3 districts, <u>except in the Van Ness Special Use District.</u>	One for each four dwelling units.
Dwelling, specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code.	One-fifth the number of spaces specified above for the district in which the dwelling is located.
Group housing of any kind	One for each 3 bedrooms or for each 6 beds, whichever results in the greater requirement, plus one for the manager's dwelling unit if any, with a minimum of two spaces required.
Hotel, Inn or hostel in NC districts	.08 for each guest bedroom

TABLE 151 (con't)
OFF-STREET PARKING SPACES REQUIRED

<u>Use or Activity</u>	<u>Number of Off-Street Parking Spaces Required</u>
Hotel, inn or hostel	One for each 16 guest bedrooms where the number of guest bedrooms exceeds 23, plus one for the manager's dwelling unit if any.
Motel	One for each guest unit, plus one for the manager's dwelling unit if any.
Mobile home park	One for each vehicle or structure in such park, plus one for the manager's dwelling unit if any.
Hospital or other in-patient medical institution	One for each 8 beds excluding bassinets or for each 2,400 square feet of gross floor area devoted to sleeping rooms, whichever results in the greater requirement; provided, that these requirements shall not apply if the calculated number of spaces is no more than two.
Residential care facility	One for each 10 residents, where the number of residents exceeds 9.
Child care facility	One for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.
Elementary school	One for each 6 classrooms.
Secondary school	One for each 2 classrooms.
Post-secondary educational institution	One for each 2 classrooms.
Church or other religious institution	One for each 20 seats by which the number of seats in the main auditorium exceeds 200.

TABLE 151 (con't)
OFF-STREET PARKING SPACES REQUIRED

<u>Use or Activity</u>	<u>Number of Off-Street Parking Spaces Required</u>
Theater or auditorium	One for each 8 seats up to 1,000 seats where the number of seats exceeds 50 seats, plus one for each 10 seats in excess of 1,000.
Stadium or sports arena	One for each 15 seats.
Medical or dental office or out- patient clinic	One for each 300 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Other business office	One for each 500 square feet occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Restaurant, nightclub, pool hall, dance hall, bowling alley or other similar enterprise	One for each 200 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Retail space devoted to the handling of bulky merchandise such as motor vehicles, machinery or furniture	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Greenhouse or plant nursery	One for each 4,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Other retail space	One for each 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet, plus one for each 250 square feet of occupied floor area in excess of 20,000.

TABLE 151 (con't)
OFF-STREET PARKING SPACES REQUIRED

<u>Use or Activity</u>	<u>Number of Off-Street Parking Spaces Required</u>
Service, repair or wholesale sales space	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Mortuary	Five.
Storage or warehouse space, and space devoted to any use first permitted in an M-2 district	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 10,000 square feet.
Other manufacturing and industrial uses	One for each 1,500 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.

SECTION 237.1 VAN NESS SPECIAL USE DISTRICT

- (a) General. A Special Use District entitled the Van Ness Special Use District, the boundaries of which are shown on Sectional Map No. 2su of the Zoning Map, is hereby established for the purposes set forth below.
- (b) Purposes. In order to implement the objectives and policies of the Van Ness Avenue Plan, a part of the Master Plan, which includes i) creation of a mix of residential and commercial uses on the boulevard, ii) preservation and enhancement of the pedestrian environment, iii) encouragement of the retention and appropriate alteration of architecturally and historically significant and contributory buildings, iv) conservation of the existing housing stock, and v) enhancement of the visual and urban design quality of the street, the following controls are imposed in the Van Ness Special Use District.
- (c) Controls. All provisions of the City Planning Code applicable to an RC-4 District shall apply except as otherwise provided in this section.

- (1) Basic Floor Area Ratio. The basic floor area ratio limit shall be 7.0 to 1 in the 130 foot height district and 4.5:1 in the 80 foot height district. These limits shall apply to dwellings notwithstanding Section 124(b) of this Code. For definitions of floor area ratio and gross floor area, see Section 102.10. and 102.8., respectively. The provisions allowing a floor area premium set forth in Section 125(a) shall not apply in the Van Ness Special Use District.
- (2) Housing Density. The restrictions on density set forth in Sections 207, 207.1, 208, 209.1 and 209.2 of this Code shall not apply.
- (3) Height and Bulk Restrictions. See Height and Bulk Map No. 2H. See Section 270 of this Code for bulk limits.
- (4) Signs. Signs located within the Van Ness Special Use District, with the exception of the Civic Center Special Sign District as described in Section 608.3 of this Code and as shown in Sectional Map SSD, shall be regulated as provided in Article 6, including Section 607.3 which governs signs located in the Van Ness Special Sign District.
- (5) Rear Yards. The requirements of this Code applicable to rear yards may be modified or waived by the Zoning Administrator if all of the following conditions are met:
 - (A) The interior block open space formed by the rear yards of abutting properties will not be adversely affected; and
 - (B) A comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to residents; and
 - (C) The access of light and air to abutting properties will not be significantly impeded.

This provision shall be administered pursuant to the procedures which are applicable to variances, as set forth in Sections

(7) Limitation of Non-Residential uses.

- (A) Residential uses: Ratio established. ((In new construction or additions to existing structures which exceed 20 percent of the volume of the existing structures, non-residential uses shall only be permitted if the ratio between the amount of occupied floor area for residential use to the amount of occupied floor area for non-residential use is 3 to 1 or greater.)) In newly constructed structures, non-residential uses shall only be permitted if the ratio between the amount of occupied floor area for residential uses, as defined in this paragraph below, to the amount of occupied floor area for non-residential uses is 3 to 1 or greater. In additions to existing structures which exceed 20 percent of the gross floor area ((volume)) of the existing structure, non-residential uses shall be permitted in the addition in excess of 20 percent only if the ratio between the amount of occupied floor area for residential use, as defined in this paragraph below, to the area of occupied floor area for non-residential use is 3 to 1 or greater. This residential use ratio shall not apply to development sites in the Van Ness Special Use District which have less than 60 feet of street frontage on Van Ness Avenue and have no street frontage other than the Van Ness Avenue frontage. For purposes of this section, non-residential uses shall mean those uses described in Sections 209.2 (d) and (e) (hotel, inn, hostel), 209.3 (a) (hospital, medical center or other medical institution with in-patient care facilities), 209.4 (community facilities), 209.5 (public facilities and utilities), 209.7 (vehicle storage and access) and 209.8 (commercial establishments); residential use shall mean those uses described in 209.1 and 209.2 (a) (b) and (c) (dwelling units and group housing).
- (B) Off-site provision of required residential space. For the purpose of calculating the 3 to 1 ratio between residential and non-residential use, two or more projects for new construction within the Van Ness Special Use District may be considered and approved together as linked projects. The requirements of paragraph A above may be satisfied if the aggregate amount of occupied floor area for residential use in two or more linked projects is at least three times greater than the aggregate amount of occupied floor area for non-residential use.

- (i) Those building permit applicants who wish to link two or more projects for the purpose of meeting the 3 to 1 residential to non-residential ratio shall file with the Department of City Planning a statement of intent identifying the applications covering the projects that are to be considered and approved together.
- (ii) When the Department of City Planning approves an application for a project containing only non-residential use and the project is linked to one or more other projects pursuant to the statement of intent filed with the Department, it shall include as a condition of approval a requirement prohibiting the project sponsor from commencing any work on the site until the Zoning Administrator issues a written determination that such work may proceed. The Zoning Administrator shall not issue such a determination until those permits authorizing the projects containing residential use have been issued and foundations have been completed at each such site;
- (iii) If a permit for a project containing non-residential use expires because of delays in the completion of foundations for linked projects containing residential uses, new permits may be approved for the non-residential project within three years of such expiration without regard to the 3 to 1 residential ratio requirement if a Temporary Certificate of Occupancy or a Permit of Occupancy has been issued for each project containing residential use;
- (iv) No building or portion of a building approved as a linked project that contains residential use required to meet the 3 to 1 residential to non-residential ratio requirement shall be used for any non-residential purposes; provided, however, that this restriction shall no longer apply if 50 per cent or more of the non-residential occupied floor area in the linked projects has been converted to residential use, or has been demolished, or has been destroyed by fire or other act of God.

- (v) The Zoning Administer shall impose as a condition of approval of a permit authorizing the residential uses of linked projects the requirement that the owner record in the land records of the property a notice of restrictions, approved as to form by the Zoning Administrator, placed on the use of the property by this section.

(C) Non-conforming uses. A use which existed lawfully at the effective date of this section and which fails to conform to the use limitation of Section 237.1 (c) 7.A. above, shall be considered a non-conforming use and subject to the provisions of Sections 180-188 of this Code, including the provisions of Section 182 regarding change of use, except as follows:

(i) In calculating the cost of structural alterations pursuant to Section 181(b)4, the cost of reinforcing the building to meet the standards for seismic loads and forces of the 1975 Building Code shall not be included; and

(ii) Notwithstanding the provisions of Section 181(b), the structure occupied by the nonconforming use may be enlarged by an amount equal to 20 percent of the gross floor area ((volume)) of the existing structure.

(D) Ground story uses. The only permitted uses on the ground story of lots abutting Van Ness Avenue, to a depth of 40 feet from Van Ness Avenue, shall be building entrances and retail space. At least one-half the total width of structures at the ground story on lots abutting Van Ness Avenue shall be devoted to entrances, windows or display space. Every window located at the ground story shall use clear, untinted glass, except for decorative or architectural accent. Any decorative railings or grille work, other than wire mesh, shall be at least 75 per cent open to view and no more than six feet in height above grade. For the purposes of this section, ground story shall be defined as the portion of a building included between the upper surface of the lowest floor and the upper surface of the floor next above, provided such floor level is not more than 4 feet below grade for more than 50 percent of the total perimeter, or more than 8 feet below grade at any point.

(E) Fast Food Uses. Fast food uses shall be permitted only as conditional uses pursuant to Section 303 of this Code. For the purposes of this section, fast food use shall be defined as a retail eating and drinking use with tables and chairs which provides ready-to-eat cooked foods generally served in disposable wrappers or containers, for consumption on or off the premises. This use provides a public service area, including counter and queuing areas

designed specifically for the sale and distribution of foods and beverages. This definition is applicable to most franchise fast food restaurants and to independent businesses such as delis, taquerias, and bagelries.

(F) Drive Up Facilities. Drive-up facilities are not permitted. For the purposes of this section, drive-up facilities shall be defined as structures designed primarily for drive-to or drive-through trade which provides service to patrons while in private motor vehicles.

(G) Demolitions. All demolitions of buildings containing residential use and all conversions from residential uses to non-residential uses above the ground floor shall be permitted only if authorized as a conditional use under Section 303 of this Code, unless the Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines that the building is unsafe or dangerous and that demolition is the only feasible means to secure the public safety. When considering whether to grant a conditional use permit for the demolition or conversion, in lieu of the criteria set forth in Planning Code Section 303, consideration shall be given to the adverse impact on the public health, safety and general welfare of the loss of housing stock in the district and to any unreasonable hardship to the applicant if the permit is denied. The definition of residential use shall be as set forth in Section 237.1(c)7.A, but shall not include any guest room in a building classified as a Residential Hotel subject to ((governed by)) the Residential Hotel Unit Conversion and Demolition Ordinance.

A conditional use permit shall not be required if the demolition permit is sought in order to comply with a Court order directing or permitting the owner to demolish a building because it is unsafe. No person shall be permitted to construct anything on the site of a demolished building subject to such an order for a period of 2 years unless (a) the proposal is for at least the same number and size of dwelling units and guest rooms and the same amount of non-residential floor area as that which was demolished or (b) the applicant request and is granted an exemption from this requirement on the ground that the applicant has demonstrated that (1) the need for demolition did not arise because of the deliberate or unreasonable

neglect of the maintenance of the building, or that (2) the restrictions would cause undue hardship to the property owner or that (3) the restrictions would constitute an unconstitutional taking of property without just compensation.

(H) Parking. Pursuant to ((Notwithstanding the provisions in)) Table 151 in Article 1.5 of this Code, the residential parking requirement shall be one space for each dwelling unit; provided, however, that the parking requirement may be reduced to not less than one space for each four dwelling units, if the Zoning Administrator determines ((pursuant to Section 307(g))) that the reduced parking requirement is sufficient to serve the reasonably anticipated auto usage ((ownership)) by residents ((of)) and ((auto usage by))visitors to the project. The procedures and fee for such review shall be the same as those which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2.

(8) Reduction of Ground Level Wind Currents.

(A) New buildings and additions to existing buildings shall be shaped, or other wind baffling measures shall be adopted, so that the development will not cause year round ground level wind currents to exceed, more that 10 percent of the time, between 7 a.m. and 6 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of pedestrian use and 7 m.p.h. equivalent wind speed in public seating areas. When pre-existing ambient wind speeds exceed the comfort levels specified above, the building shall be designed to reduce the ambient wind speeds in efforts to meet the goals of this requirement.

(B) An exception to this requirement may be permitted but only if and to the extent that the project sponsor demonstrates ((if it can be shown))that the building or addition cannot be shaped or wind baffling measures cannot be adopted without unduly restricting the development potential of the building site in question.

((i) An allowable exception shall permit the building or addition to increase, by the least amount possible, the time that the comfort level is exceeded.))

(i) The exception may permit the building or addition to increase the time that the comfort level is exceeded, but only to the extent necessary to avoid undue restriction of the development potential of the site.

(ii) Notwithstanding the above no exception shall be allowed and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 m.p.h. for a single hour of the year.

(C) For the purposes of this section, the term "equivalent wind speed" shall mean an hourly wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians.

SEC. 253.2

REVIEW OF PROPOSED BUILDINGS AND STRUCTURES IN THE VAN NESS SPECIAL USE DISTRICT.

(a) Setbacks. In the Van Ness Special Use District, as designated on Sectional Map 2su of the Zoning Map, any new construction exceeding 40 feet in height or any alteration that would cause a structure to exceed 40 feet in height shall be permitted only as a conditional use upon approval by the City Planning Commission according to Section 303 of this Code. When acting on any conditional use application pursuant to this section, the City Planning Commission may impose the following requirements in addition to any others deemed appropriate:

(1) On Van Ness Avenue. The City Planning Commission may require a set-back of up to 20 feet at a height of 50 feet or above for all or portions of a building if it determines that this requirement is necessary in order to maintain the continuity of the prevailing street wall height established by the existing buildings along Van Ness Avenue within two blocks of the proposed building.

(2) On Pine, Sacramento, Clay, Washington and California Streets. The City Planning Commission may require a set-back of up to 15 feet for all or a portion of a building on any lot abutting Pine, Sacramento, Clay, California and Washington Streets which lot is located within the Van Ness Special Use District in order to preserve the existing view corridors.

- (a) Method of measurement. The limits upon the height of buildings and structures shall be as specified on the Zoning Map. In the measurement of height for purposes of such limits, the following rules shall be applicable:
- (1) The point above which such measurements shall be taken shall be as specified in the definition of "height" in this Code.
 - (2) The upper point to which such measurement shall be taken shall be the highest point on the finished roof in the case of a flat roof, and the average height of the rise in the case of a pitched or stepped roof, or similarly sculptured roof form or any higher point of a feature not exempted under Subsection (b) below.
 - (3) In cases where the height limit is 65 feet or less and a street from which height measurements are made slopes laterally along the lot, or the ground slopes laterally on a lot that also slopes upward from the street, there shall be a maximum width for the portion of the building or structure that may be measured from a single point at curb or ground level, according to the definition of "height", as specified in the following table. These requirements shall not apply to any property to which the bulk limitations in Section 270 of this Code are applicable.

TABLE 6

HEIGHT MEASUREMENT ON LATERAL SLOPES
WHERE HEIGHT LIMIT IS 65 FEET OR LESS

<u>Average Slope of Curb or Ground From Which Height is Measured</u>	<u>Maximum Width for Portion of Building that May Be Measured from a Single Point</u>
5 percent or less	No requirement
More than 5 percent but no more than 15 percent	65 feet
More than 15 percent but no more than 20 percent	55 feet
More than 20 percent but no more than 25 percent	45 feet
More than 25 percent	35 feet

- (b) Exemptions. In addition to other height exceptions permitted by this Code, the features listed in this subsection shall be exempt from the height limits established by this Code, in an amount up to but not exceeding that which is specified.
- (1) The following features shall be exempt; provided the limitations indicated for each are observed; provided further that the sum of the horizontal areas of all features listed in this Paragraph (b)1 shall not exceed 20 percent of the horizontal area of the roof above which they are situated, or, in C-3 districts, where the top of the building has been separated into a number of stepped elements to reduce the bulk of the upper tower, of the total of all roof areas of the upper tower, or in the Rincon Hill Special Use District, where the top of the building has been separated into a number of stepped elements to reduce the bulk of the upper tower, of the total of all roof areas of the upper towers; and provided further that in any R, RC-1, RC-2, RC-3, or RC-4 district the sum of the horizontal areas of all such features located within the first 10 feet of depth of the building, as measured from the front wall of the building, shall not exceed 20 percent of the horizontal area of the roof in such first 10 feet of depth.

As an alternative, the sum of the horizontal areas of all features listed in this Paragraph (b)1 may be equal but not exceed 20 percent of the horizontal area permitted for buildings and structures under any bulk limitations in Section 270 of this Code applicable to the subject property.

Any such sum of 20 percent heretofore described may be increased to 30 percent by unroofed screening designed either to obscure the features listed under (A) and (B) below or to provide a more balanced and graceful silhouette for the top of the building or structure.

- (A) Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself, including chimneys, ventilators, plumbing vent stacks, cooling towers, water tanks, panels or devices for the collection of solar or wind energy and window washing equipment, together with visual screening for any such features. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.
- (B) Elevator, stair and mechanical penthouses, fire towers, skylights and dormer windows. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.
- (C) Stage and scenery lofts.
- (D) Ornamental and symbolic features of public and religious buildings and structures, including towers, spires, cupolas, belfries and domes, where such features are not used for human occupancy.
- (E) In any C-3 district, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.
- (F) In any C-3 district, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed twenty feet in height, measured

as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three-fourths of the horizontal area of all upper tower roof areas of the building measured before the addition of any exempt features times twenty.

- (G) In any C-3 district, vertical extensions to buildings, such as spires, which enhance the visual appearance of the structure and are not used for human occupancy may be allowed, pursuant to the provisions of Section 309, up to 75 feet above the height otherwise allowed. The extension shall not be subject to the percentage coverage limitations otherwise applicable to this subsection, provided that the extension is less than 100 square feet in cross section and 18 feet in diagonal dimension.
- (H) In the Rincon Hill Special Use District, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.
- (I) In the Rincon Hill Special Use District, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed twenty feet in height, measured as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three-fourths of the horizontal area of all upper tower roof areas of the building measured times twenty.
- (J) In the Van Ness Special Use District, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above and to provide additional visual interest to the roof of the structure. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed ten feet in height where the height limit is 65 feet or less or 16 feet where the height limit is more than 65 feet, measured as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three-fourths of the

horizontal area of all upper tower roof areas of the building measured before the addition of any exempt features times ten where the height limit is 65 feet or less or times 16 where the height limit is more than 65 feet.

- (2) The following features shall be exempt, without regard to their horizontal area, provided the limitations indicated for each are observed.
- (A) Railings, parapets and catwalks, with a maximum height of four feet.
 - (B) Open railings, catwalks and fire escapes required by law, wherever situated.
 - (C) Unroofed recreation facilities with open fencing, including tennis and basketball courts at roof level, swimming pools with a maximum height of four feet and play equipment with a maximum height of 10 feet.
 - (D) Unenclosed seating areas limited to tables, chairs and benches, and related wind screens, lattices and sunshades with a maximum height of 10 feet.
 - (E) Landscaping, with a maximum height of four feet for all features other than plant materials.
 - (F) Short-term parking of passenger automobiles, without additional structures or equipment other than trellises or similar overhead screening for such automobiles with a maximum height of eight feet.
 - (G) Amusement parks, carnivals and circuses, where otherwise permitted as temporary uses.
 - (H) Flag poles and flags, clothes poles and clothes lines, and weather vanes.
 - (I) Radio and television antennae where permitted as accessory uses and towers and antennae for transmission, reception, or relay of radio, television, or other electronic signals where permitted as principal or conditional uses, subject to the limitations of subsections 227(h) and (i) of this Code and limitations imposed by the City Planning Commission.
 - (J) Warning and navigation signals and beacons, light standards and similar devices, not including any sign regulated by this Code.

- (K) Public monuments owned by government agencies.
- (L) Cranes, scaffolding and batch plants erected temporarily at active construction sites.
- (M) Structures and equipment necessary for the operation of industrial plants, transportation facilities, public utilities and government installations, where otherwise permitted by this Code and where such structures and equipment do not contain separate floors, not including towers and antennae for transmission, reception, or relay of radio, television, or other electronic signals where permitted as principal or conditional uses by this Code.
- (N) Buildings, structures, and equipment of the San Francisco Port Commission, where not subject to this Code due to provisions of the San Francisco Charter or State law.

SEC. 270. BULK LIMITS: MEASUREMENT.

- (a) The limits upon the bulk of buildings and structures shall be as stated in this section and in Section 271 and 272. The terms "height", "plan dimensions", "length" and "diagonal dimensions" shall be as defined in this Code. In each height and bulk district, the maximum plan dimensions shall be as specified in the following table, at all horizontal cross sections above the height indicated.

TABLE 7

BULK LIMITS

District Symbol on Zoning Map	Height Above Which Maximum Dimensions Apply (in feet)	Maximum Plan Dimensions (in feet)	
		Length	Diagonal Dimension
A	40	110	125
B	50	110	125
C	80	110	125
D	40	110	140
E	65	110	140
F	80	110	140
G	80	170	200
H	100	170	200
I	150	170	200
J	40	250	300
K	60	250	300
L	80	250	300
M	100	250	300
N	40	50	100
R	51	200	200
R	105	110	125
V		110	140
V		* At setback height established pursuant to Section 253.2	
OS		See Section 290.	
S		This table not applicable. But see Section 270(d).	
T		At setback height established pursuant to Section 132.2, but no higher than 80 feet.	
X		This table not applicable. But see Section 260(a)3.	

- (b) These limits shall not apply to the buildings, structures and equipment listed in Section 260(b)2(K), (L), (M) and (N) of this Code, subject to the limitations expressed therein.
- (c) Maximum plan lengths and diagonal dimensions do not apply to cornices or other decorative projections.
- (d) The bulk limits contained in this subsection shall apply in S Bulk Districts as designated on Sectional Map Nos. 1H, 2H and 7H of the Zoning Map.

(1) Base. The base is the lowest portion of the building extending vertically to a streetwall height up to 1.25 times the width of the widest abutting street or 50 feet, whichever is more. There are no length or diagonal dimension limitations applicable to the base. The building base shall be delineated from the lower and upper tower and related to abutting buildings by a setback, cornice line or equivalent projection or other appropriate means.

(2) Lower Tower.

(A) Dimensions. Bulk controls for the lower tower apply to that portion of the building height above the base as shown on Chart B. For buildings of less than 160 feet in height, the lower tower controls are the only bulk controls above the base of the building. The bulk controls for the lower tower are a maximum length of 160 feet, a maximum floor size of 20,000 square feet, and a maximum diagonal dimension of 190 feet.

(B) Additional Bulk for Elevators. Solely in order to accommodate additional elevators required by tall buildings the lower portion (up to the height shown on Chart B) of the lower tower of a building 500 feet tall or taller may be enlarged up to a maximum length of 190 feet, a maximum diagonal dimension of 230 feet and a maximum floor size of up to 25,000 square feet without a corresponding reduction in upper floor size.

(3) Upper Tower

(A) Dimensions. Upper tower bulk controls apply to buildings taller than 160 feet. They apply to the upper tower portion of a building up to the height shown on Chart B which height excludes the vertical attachment and other features exempted by Section 260 and excludes the extended upper tower height exceptions provided for in Section 263.7 of this Code. The bulk controls for the upper tower are: a maximum length of 130 feet; a maximum average floor size of 12,000 square feet; a maximum floor size for any floor of 17,000 square feet; and a maximum average diagonal measure of 160 feet. In determining the average floor size of the upper tower, areas with a cross sectional area of less than 4,000 square feet may not be counted and sculptured architectural forms that contain large volumes of space but no usable floors shall be included in average floor size calculation by computing the cross section at 12.5 foot intervals.

- (B) Volume Reduction. When the average floor size of the lower tower exceeds 5,000 square feet, the volume of the upper tower shall be reduced to a percentage of the volume that would occur if the average floor size of the lower tower were extended to the proposed building height. The percentage varies with the bulk of the lower tower and with whether or not a height extension is employed pursuant to Section 263.7 and is shown on Chart C. In achieving the required volume reduction, a setback or change in profile at a specific elevation is not required.
- (C) Extensions. Extensions of the Upper Tower above the otherwise allowable height limits may be permitted as provided in Section 263.7.
- (D) Termination of the Tower. The top of the tower shall be massed in a manner that will create a visually distinctive roof or other termination of the building facade. Modifications to a proposed project may be required, in the manner provided in Section 309, to achieve this purpose.

(e) In bulk district R, bulk limitations are as follows:

- (1) Between 51 and 105 feet in height, the maximum plan dimensions measured diagonally may not exceed 200 feet, and the average individual floor area may not exceed 20,000 gross square feet.
- (2) Above 105 feet in height, each side of the building shall be limited to 110 feet in length, and maximum plan dimensions measured diagonally may not exceed 125 feet except for the lower one-third of the structure above 105 feet, which shall be subject to Subsection (3) below; the average floor area of all floors above 105 feet may not exceed 7,500 gross square feet.
- (3) The volume of the upper one-third of the structure above 105 feet shall be at least 15% less than the volume of the middle one-third above 105 feet, and the volume of the lower one-third of the structure above 105 feet shall be at least 15% more than the volume of the middle one-third above 105 feet.
- (4) In order to provide light and air between structures and to avoid excessive screening of downtown views from the bridge, distances between structures in height districts above 105 feet should not be less than 150 feet.

SEC. 607.3

VAN NESS SPECIAL SIGN DISTRICT.

- (a) General. Signs located within the Van Ness Special Use district with the exception of the Civic Center Special Sign District as shown in Sectional Map SSD, shall be regulated by the provisions of Article 6 and those set forth below, except for those signs which are exempt pursuant to Section 603. In the event of conflict between the provisions of this Section and those of Article 6, the provisions of this Section shall prevail in the Van Ness Special Use district.
- (b) Purposes. In addition to the purposes stated in Section 101 and 601 of this Code, the following purposes apply to the Van Ness Special Use district. These purposes constitute findings that form a basis for regulations and provide guidance for their application.
- (1) As Van Ness Avenue changes from an automotive oriented area to a mixed-use, predominantly residential district, it needs to maintain its attractiveness to business customers and residents alike. Physical amenities and a pleasant appearance will benefit both existing and new enterprises.
 - (2) The character of signs and other features projecting from buildings is an important part of the visual appeal of a street and the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to street design and building design. These regulations establish a framework that will contribute toward a coherent appearance of the Van Ness Special Use District.
 - (3) The Van Ness Special Use district is intended to be a mixed-use area with commercial units on the ground or lower stories and residential uses on upper stories. Although signs and other advertising devices are essential to a vital commercial district, they should not be allowed to interfere with or diminish the livability of residential units within the Van Ness Special Use District or in adjacent residential districts.

- (4) The scale of the Van Ness Special Use district as characterized by building height, bulk, and appearance, and by the width of streets and sidewalks, differs from that of other commercial and industrial districts. Sign sizes should relate and be compatible with the surrounding district scale.

(c) Controls.

- (1) Signs or Sign Features Not Permitted in the Van Ness Special Use District. Roof signs as defined in Section 602.16 are not permitted.
- (2) Identifying Signs Identifying signs, as defined in Section 602.9, shall be permitted in the Van Ness Special Use District subject to the limits set forth below.
- (A) An identifying sign shall not exceed 20 square feet in area. The sign may be a wall sign or a projecting sign. A wall sign or projecting sign shall be mounted at or below the level of the lowest residential window sill or 25 feet, whichever is lower. Such sign may be non-illuminated, indirectly illuminated, or directly illuminated. For the purposes of this section, wall signs shall be defined as signs placed flat against a building wall with its copy parallel to the wall to which it is attached and not protruding more than the thickness of the sign cabinet.
- (B) One name plate, as defined in Section 602.12, not exceeding an area of six square feet, shall be permitted for each resident and occupant of the building.
- (3) General Advertising Signs. General advertising signs, as defined in Section 602.7, shall be permitted in the Van Ness Special Use districts as provided below. General advertising signs may be either a wall sign or a freestanding sign, provided that the surface of any freestanding sign shall be parallel to and within 3 feet of an adjacent building wall. The building wall shall form a complete backdrop for the wall sign, as the sign is viewed from those points on a street or alley from which it is legible. Signs painted directly on a building wall shall be considered general advertising signs for the purposes of this Section. No general advertising sign shall be permitted to cover part or all of any window. No more than one general advertising sign of 300 square feet or two general advertising signs of 72 square feet each shall be

permitted per lot. The height of any such sign shall not exceed 36 feet, or the height of the wall to which it is attached or before which it is placed, or the height of the lowest residential window sill located in the wall to which the sign is attached or before which it is placed, whichever is lowest. Signs may be either non-illuminated, directly or indirectly illuminated. All general advertising signs shall conform to the provisions of Section 5408 of the California Business and Professional Code ((Title 4, Chapter 6 of the California Administrative Code (Outdoor Advertising Act))), including the requirement that no advertising display shall be placed within 100 feet from another advertising display on the same side of Van Ness Avenue.

- (4) Business Signs. Business Signs, as defined in Section 602.3, shall be permitted subject to the following restrictions:
- (A) Window Signs. The total area of any window sign, as defined in Section 602.1(b), shall not exceed one-third the area of the window on or in which the sign is located. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated. For purposes of this section, window signs shall be defined as signs placed directly on the surface of the glass inside the building.
- (B) Wall signs. The area of any wall sign shall not exceed 3 square feet per foot of street frontage occupied by the building on which the sign is located. The height of any wall sign shall not exceed 45 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be non-illuminated, indirectly, or directly illuminated.
- (C) Projecting Signs. The area of any projecting sign shall not exceed 36 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lowest. No part of the sign shall project more than 6 feet from the property line. Such signs may be non-illuminated, indirectly, or directly illuminated.

- (D) Signs on Awnings and Marquees. Sign copy may be located on permitted awnings and marquees in lieu of projecting signs. The area of such sign copy shall not exceed 60 square feet. Such sign copy may be non-illuminated, indirectly illuminated or directly illuminated.
- (E) Freestanding Signs and Sign Towers. Freestanding signs and sign towers shall not be permitted in the Van Ness Special Sign District except as provided in Section 606.(c).1.
- (F) Automotive Gas and Service Stations. For automotive gas and service stations, only the following signs are permitted:
- (i) A maximum of two oil company signs, which shall not extend more than 10 feet above the roof line if attached to a building, or exceed 24 feet in height if free standing. The area of any such sign shall not exceed 180 square feet. Along each street frontage, all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. No such sign shall project more than five feet beyond any property line. The areas of other permanent and temporary signs as covered in sub-paragraph (ii) below shall not be included in the calculation of the areas specified in this subsection.
 - (ii) Other permanent and temporary signs customarily incidental to the service station business, not to exceed 30 square feet in area for each such sign or a total of 180 square feet for all such signs on the premises. No such sign shall extend above the roof line if attached to a building, or in any case project beyond any street property line or building set-back line.
- (5) Temporary Signs. Temporary signs permitted in the Van Ness Special Use District are sale or lease signs as defined in Section 602.17 and construction signs giving the names of persons and firms connected with work on buildings under actual construction or alteration and information pertinent to the project. One sign per lot not exceeding 50 square feet shall be permitted and conform to all regulations of set forth in Section 607.(f).

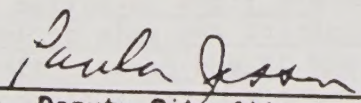


All temporary signs shall be promptly removed upon removal of the property from the market or completion of the construction activity.

- (6) Maintenance and Removal of Signs. Every business and identifying sign shall be adequately maintained in its appearance, or else removed or obscured. When the business, service, industry, use or activity for which a business sign or identifying sign has been erected has ceased operation on the premises, all such signs pertaining to such establishment shall be removed or obscured within 180 days.
- (7) Additional Controls. Additional sign controls apply to certain areas of the Van Ness Special Use District designated as Special Sign Districts. Special Sign Districts are described within Sections 608.1 through 608.11 of this Code and, with the exception of Sections 608.1, 608.2 and 608.11, their designations, locations and boundaries are provided on Sectional Map SSD of the Zoning Map of the City and County of San Francisco.

APPROVED AS TO FORM

LOUISE RENNE, City Attorney


by: Deputy City Attorney